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9
10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 MICHAEL COYNE,

13 Plaintiff,

14 v.

15 CITIBANK, N.A.,

16 Defendant.
17
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Case No.: 5:17-cv-06174-NC

**PLAINTIFF'S NOTICE OF
VOLUNTARY DISMISSAL WITH
PREJUDICE OF DEFENDANT
CITIBANK, N.A. PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 41(a)(1)**

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20 **PLEASE TAKE NOTICE** that Plaintiff Michael Coyne, pursuant to Federal Rule of
21 Civil Procedure 41(a)(1), hereby voluntarily dismisses defendant Citibank, N.A., with prejudice,
22 as to all claims in this action.

23 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant in part:

24 41(a) Voluntary Dismissal

25 (1) By the Plaintiff

26 a) Without a Court Order. Subject to Rules 23(3), 23.1(c), 23.2 and 66 and any
27 applicable federal statute, the plaintiff may dismiss an action without a court
28 order by filing:

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE OF DEFENDANT CITIBANK,
N.A. PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1) -1-

1 (1) A notice off dismissal before the opposing party either serves an
2 answer or a motion for summary judgment.
3

4 Defendant Citibank, N.A. has neither answered Plaintiff's Complaint nor filed a motion
5 for summary judgment. Accordingly, the matter may be dismissed against it for all purposes and
6 without an Order of the Court.
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9 DATED: March 14, 2018

Salaria Law, P.C.

10 By: /s/ Elliot Gale
11 Elliot W. Gale, Esq.
12 Attorney for Plaintiff Michael Coyne
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